

IN THE SUPREME COURT OF THE STATE OF MONTANA

No. DA 10-0221

STATE OF MONTANA,

Plaintiff and Appellee,

v.

JUSTUS MICHAEL MASSEY,

Defendant and Appellant.

FILED

AUG 09 2010

Ed Smith
CLERK OF THE SUPREME COURT
STATE OF MONTANA

MOTION FOR EXTENSION OF TIME

The Appellee, State of Montana, respectfully requests a 30-day extension of time until September 10, 2010, in which to prepare, serve, and file its response brief in the above-entitled matter. The brief is presently due on August 11, 2010, and this is the State's first extension request.

This motion is made due to the heavy workload under which the attorney assigned to this case is presently working, making it impossible to properly research, consider, and brief the issues raised by the Appellant within the time allotted.

Opposing counsel has been contacted concerning this motion, and does not object.

Respectfully submitted this 9th day of August, 2010.

STEVE BULLOCK
Montana Attorney General
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By: John Paulson
JOHN PAULSON
Assistant Attorney General

CERTIFICATE OF SERVICE

I hereby certify that I caused a true and accurate copy of the foregoing
Motion for Extension of Time to be mailed, first class postage paid, to:

Mr. Colin M. Stephens
Attorney at Law
315 W. Pine
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Mr. Mark Russell
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DATED: Aug. 9, 2010 Kim Wolcott